

July 8, 2021

Via ECF

Chambers of Hon. Valerie Caproni, United States District Judge
U.S. District Court for the Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

Re: *HC2 Station Group, Inc. v. Radiant Life Ministries, Inc.*, Case No. 1:20-cv-01861-
VEC: Corrected Second Joint Update Regarding Pending Prospective Settlement

Dear Judge Caproni:

Pursuant to section 2.C of this Court's Individual Practices in Civil Cases and this Court's March 22, 2021 Order, ECF No. 43, Plaintiff HC2 Station Group, Inc. ("HC2") and Defendants Radiant Life Ministries, Inc. ("RLM") and Michael Jerome Daly, Esq. ("Daly" and, collectively with HC2 and RLM, the "Parties"), by their respective undersigned attorneys, jointly write to provide the Court with a further update on the prospective settlement and voluntary dismissal of this litigation. The written asset purchase agreement ("APA") between HC2 and Faith Broadcasting Network, Inc. ("FBN", an entity under common ownership and control with RLM), which provides for the execution of a settlement agreement and the voluntary dismissal of this litigation, with prejudice, in connection with its closing, has received the consent of the Federal Communications Commission (the "FCC"). The Parties and FBN jointly anticipate that the closing on the APA and execution of the associated settlement agreement will take place on or around Monday, **July 26, 2021**, with Plaintiffs' voluntary dismissal to follow on the next business day thereafter.

Consequently, in order to avoid incurring unnecessary legal fees and expenses pending the closing on the APA and the settlement and voluntary dismissal of this litigation, the Parties now jointly request that this Court stay all deadlines and conference dates in this case until either (a) Plaintiff voluntarily dismisses this case, with prejudice, in connection with that closing or (b) the Parties file with the Court, by no later than **July 30, 2021**, a further joint status update.

The Parties respectively preserve their previously stated positions (e.g., with respect to the service of contention interrogatories) and, in the event that this litigation is not settled and voluntarily dismissed, will work collaboratively to conclude documentary and written discovery and schedule and conduct depositions, by videoconference or other suitable means in light of public health restrictions.

The Parties have made six prior requests to extend certain discovery deadlines and pretrial conference dates (by joint letters dated August 10, 2020, October 5, 2020, November 10, 2020, January 8, 2021, February 8, 2021, and March 8, 2021), and all Parties consent to the new dates proposed herein.

Respectfully submitted,

S/ Matthew J. Reynolds
Matthew J. Reynolds (MR 5740)
Karl C. Huth (KH 0000)
Huth Reynolds LLP
41 Cannon Court
Huntington, NY 11743
(212) 731-9333
reynolds@huthreynolds.com
huth@huthreynolds.com

Counsel for Plaintiff HC2 Station Group, Inc.

/s/ Thomas F. Urban II
Thomas F. Urban II (admitted *pro hac vice*)
Fletcher, Heald & Hildreth, PLC
1300 17th Street North, Suite 1100
Arlington, Virginia 22209
(703) 812-0400
(703) 812-0486 (fax)
urban@fhhlaw.com

*Counsel for Defendants Radiant Life
Ministries, Inc. and Michael Jerome Daly,
Esq.*

Application GRANTED.

The Clerk of Court is respectfully directed to close the open motions at docket entries 44 and 45.

SO ORDERED.



Date: July 8, 2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE